

**Matter of KEYMARROO GUIDEN v HON. E. DANIELLE
JOSE-DECKER et al.**

Motion No: CV-23-2238

Slip Opinion No: 2024 NY Slip Op 60608(U)

Decided on January 11, 2024

Appellate Division, Third Department, Motion Decision

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State of New York
Supreme Court, Appellate Division
Third Judicial Department

Decided and Entered: January 11, 2024

CV-23-2238

In the Matter of KEYMARROO
GUIDEN,

Petitioner,

v

HON. E. DANIELLE JOSE-DECKER
et al.,

Respondents.

DECISION AND ORDER ON
MOTION

Motion to dismiss petition.

Motion for stay pending proceeding.

Upon the papers filed in support of the motions and the papers filed in opposition to the motion to dismiss, it is

ORDERED that the motion to dismiss the petition for improper service of process is denied, without costs, and without prejudice to renewal in the event that petitioner fails to serve the notice of petition and verified petition on respondents in accordance with CPLR 311, 312-a, 403 (c) and 7804 (c) on or before February 5, 2024. The time to file and serve the answer is extended to February 26, 2024. It is further

ORDERED that the motion to dismiss the petition for failure to include a proper return date, for improper verification and for failure to join a necessary party is denied, without costs, and it is further

ORDERED that the motion for a stay is granted, without costs, and all proceedings in the criminal action entitled *People v Keymarroo Guiden*, pending in County Court, Sullivan County, under Indictment No. 145S-2021, are stayed pending hearing and determination of the CPLR article 78 proceeding.

Egan Jr., J.P., Aarons, Pritzker, Reynolds Fitzgerald and Mackey, JJ., concur.

ENTER:

Robert D. Mayberger

Clerk of the Court